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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,653	03/30/2001	Aamir A. Abbasi	CS10883	7663

20280 7590 08/11/2005

MOTOROLA INC
600 NORTH US HIGHWAY 45
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LIBERTYVILLE, IL 60048-5343

EXAMINER

NGUYEN, THUAN T

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,653

Applicant(s)

ABBASI, AAMIR A.

Examiner

THUAN T. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/27/05 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/25/05 has been entered.

Remark

2. Claims 7 and 12 are canceled. Pending claims are claims 1-6, 8-11, and 13-20.

Claim Rejections - 35 USC 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

4. Claims 1-6, 8-11, and 13-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bauer (US Pub 2001/0024967 A1).

Regarding claim 1, Bauer discloses a portable electronic device comprising a user interface (Fig. 3 for a portable electronic device comprising conventional user interfaces such as a display and keypad/as items 2 & 3 & 6 for user interfaces); a lighting circuit including a light source to illuminate the user interface (page 1, section 0001-0004 for a power source to illuminate the user interface; Fig. 3/item 7 for a light-sensitive sensor, and page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., without performing any other operation, the user simply touches the phone and the light is at full display for the user to use, see page 1, section 0006; and as the user

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turns on the device in an area where the ambient light condition is enough (or the condition of ambient light addressed), the user interface is automatically switching to a full display for the user to view and operate as normal (for claim 6), and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014). This is regarding as the second activation of the user interface for detecting the motion of the device to operate or turn on the device other than lighting or illuminating the user interface.

As for claim 2, Bauer discloses the terminal for mobile communication including a display and an input device (Fig. 3/ items 2-3 for the display and item 6 for a control input of the device, page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., as the user turns on the device in an area where the ambient light condition is enough, the user interface is automatically switching to a full display for the user to view and operate as normal, and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014).

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As for claim 3, this limitation is met as Bauer discloses a light sensor 7 detects the ambient light condition for generating an ambient light signal based on the ambient light condition (page 1, section 0014).

As for claims 4 and 5, these limitations are met as Bauer teaches that appropriate construction and programming of the device for different operating states can be performed by evaluating the ambient light conditions such as below a minimum illumination level –absent of the ambient light—or within a shorter duration by measurement of the elapsed time and by means of sensors, for switching the display to appropriate display levels (page 1, section 0014).

Regarding claim 6, Bauer discloses a portable electronic device comprising an input device (Fig. 3 for a portable electronic device comprising conventional user interfaces such as a display and keypad/as items 2 & 3 & 6 for user interfaces); a lighting circuit including a light source to illuminate the user interface (page 1, section 0001-0004 for a power source to illuminate the user interface; Fig. 3/item 7 for a light-sensitive sensor –for claim 6, and page 1, section 0011), wherein a control circuit 6 having a delayed operation mode, i.e., a measurement of the elapsed time while detecting the user activation using the sensor, to determine whether a first activation of the user interface illuminates the user interface without performing any other operation of the device and a second activation of the user interface performs an operation of the device other than illuminating the user interface, i.e., without performing any other operation, the user simply touches the phone and the light is at full display for the user to use, see page 1, section 0006; and as the user turns on the device in an area where the ambient light

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condition is enough (or the condition of ambient light addressed), the user interface is automatically switching to a full display for the user to view and operate as normal (for claim 6), and as long as the user moves or uses the device, a motion sensitive sensor 8 detects the movement and allows the user to operate the device other than illuminating the user interface (page 1, sections 0011-0014) This is regarding as the second activation of the user interface for detecting the motion of the device to operate or turn on the device other than lighting or illuminating the user interface.

As for claims 8-11, and 13-20, with claims 1 and 6 is already addressed above for light sensor and ambient conditions, these claims with same limitations as in claims 1-6 are rejected for the reasons given in the scope of claims 1-6 as disclosed above.

Conclusion

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to the New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

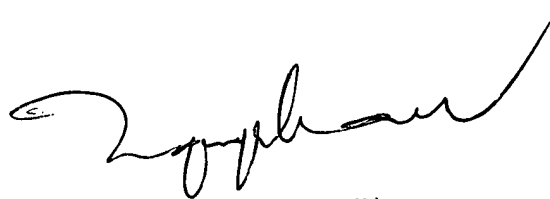
Hand deliveries must be made to Customer Service Window,

Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tony Thuan Nguyen whose telephone number is (571) 272-7895. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM, with alternate Fridays off.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TONY T. NGUYEN
PATENT EXAMINER

Tony T. Nguyen
Art Unit 2685
August 1, 2005